



**TO:** Kim Lundy Service of Process, Legal Support Supervisor  
Walmart Inc.  
702 SW 8th St, MS#0215  
Bentonville, AR 72716-6209

**RE:** **Process Served in Texas**

**FOR:** Wal-Mart Stores Texas, LLC (Domestic State: DE)

**Service of Process  
Transmittal**

01/15/2019  
CT Log Number 534738170

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Ramirez Susana, Pltf. vs. Wal-Mart Stores Texas LLC, Dft.  
*Name discrepancy noted.*

**DOCUMENT(S) SERVED:** Citation, Return, Petition

**COURT/AGENCY:** 381st Judicial District Court Starr County, TX  
Case # DC195

**NATURE OF ACTION:** Personal Injury - Failure to Maintain Premises in a Safe Condition - 12/21/2018 at Wal-Mart store located in Rio Grande City, Starr County, Texas

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Dallas, TX

**DATE AND HOUR OF SERVICE:** By Certified Mail on 01/15/2019 postmarked on 01/10/2019

**JURISDICTION SERVED :** Texas

**APPEARANCE OR ANSWER DUE:** By 10:00 a.m. on the Monday next following the expiration of 20 days after service

**ATTORNEY(S) / SENDER(S):** Michael J. Cisneros  
The Cisneros Law Firm L.L.P.  
312 Lindberg  
McAllen, TX 78501  
956-682-1883

**ACTION ITEMS:** CT has retained the current log, Retain Date: 01/16/2019, Expected Purge Date: 01/21/2019  
  
Image SOP  
  
Email Notification, Kim Lundy Service of Process ctlawsuits@walmartlegal.com

**SIGNED:**  
**ADDRESS:** C T Corporation System  
1999 Bryan Street  
Suite 900  
Dallas, TX 75201

**TELEPHONE:** 214-932-3601

## EXHIBIT A

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Information displayed on this transmittal is for CT Corporation's record keeping purposes only and is provided to the recipient for quick reference. This information does not constitute a legal opinion as to the nature of action, the amount of damages, the answer date, or any information contained in the documents themselves. Recipient is responsible for interpreting said documents and for taking appropriate action. Signatures on certified mail receipts confirm receipt of package only, not contents.

Mr. Joe Moreno  
2134 Van Tassel Cir  
Edinburg, TX 78539-6052



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7018 2290 0000 5880 5148



1000

75201-3140

U.S. POSTAGE PAID  
FCM LETTER  
EDINBURG, TX  
78539  
JAN 10, 19  
AMOUNT

\$6.91

R2305E125337-13

WALMART STORES TEXAS  
c/o C.T. Corp.  
1999 Bryan St./Ste. 900  
Dallas, TX 75201

75201-3140 0050



**COPY**

**CLERK OF THE COURT**  
**Orlando Velasquez**  
**STARR COUNTY COURTHOUSE**  
**RIO GRANDE CITY, TEXAS 78582**

**Attorneys(s)**

**MICHAEL CISNEROS**  
**312 LINDBERG**  
**MCALLEN, TX 78501**

(email@cisneroslawfirm.com)

**CITATION****THE STATE OF TEXAS**

**NOTICE TO THE DEFENDANT:** You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation By 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgement may be taken against you.

**TO: Wal-Mart Stores Texas LLC**  
**C.T. Corporation System**  
**1999 Bryan Street, Suite 900**  
**DALLAS, TX 75201-3136**

**DEFENDANT**, in the hereafter and styled and numbered cause: DC-19-5  
 You are hereby commanded to appear by filing a written answer to the **PLAINTIFF'S ORIGINAL PETITION** at or before 10 o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **381<sup>ST</sup> DISTRICT JUDGE JOSE LUIS GARZA OF STARR COUNTY, TEXAS** at the Court House of said County RIO GRANDE CITY, TEXAS. Said Petition was filed on the 8th day of January, 2019 in this cause numbered DC-19-5 the docket of said court, and styled,

**SUSANA RAMIREZVS.WAL-MART STORES TEXAS LLC**

The nature of Plaintiff's demand is fully shown by a true and correct copy of **PLAINTIFF'S ORIGINAL PETITION** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at office, this January 9, 2019.



Orlando Velasquez  
 381<sup>ST</sup> DISTRICT CLERK  
 STARR COUNTY, TEXAS  
 BY: DEPUTY CLERK

**OFFICER'S RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.  
 Executed at 1999 Bryan, within the County of Pecos, at \_\_\_\_\_ o'clock \_\_\_\_\_.M.  
 On the 10 day of Jan 2019, by delivering to the within named Wal-Mart Stores a true copy of this citation together with the accompanying copy of this petition, having first attached such copy of such petition to such copy of citation and endorsed on such copy of citation the date of delivery.

Not executed, the diligence used to execute being \_\_\_\_\_; for the following reason  
 \_\_\_\_\_, the defendant may be found \_\_\_\_\_

Total fee for serving this citation \_\_\_\_\_ Sheriff Account No. \_\_\_\_\_  
 To certify which witness my hand officially.

Sheriff of Starr County, Texas

by Jean Morris Deputy P.S.

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT**

In accordance with Rule 107: The officer authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

?My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, and my address is \_\_\_\_\_

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT

Executed in \_\_\_\_\_ county, state of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_.

Declarant/Authorized Process Server

(ID# & expiration of certification)

File No. DC-19-5  
**CITATION FOR PERSONAL SERVICE IN STATE**

**SUSANA RAMIREZ VS. WAL-MART STORES TEXAS LLC**

**381ST DISTRICT COURT  
 OF STARR COUNTY, TEXAS**

**ISSUED**  
 THIS January 9, 2019  
Orlando Velasquez  
 CLERK DISTRICT COURT  
 BY: Orlando Velasquez  
 DEPUTY CLERK

**FILED**  
 This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
 At \_\_\_\_\_ o'clock \_\_\_\_\_.M.

Orlando Velasquez  
 CLERK OF THE COURT  
 BY: \_\_\_\_\_ DEPUTY

CAUSE NO.: DC-19-5

Dulce Morin

SUSANA RAMIREZ

§ IN THE 381ST JUDICIAL DISTRICT

VS.

§§ COURT OF

WAL-MART STORES TEXAS LLC

§§ STARR COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES SUSANA RAMIREZ, hereinafter referred to as Plaintiff, and files this, her Original Petition against WAL-MART STORES TEXAS LLC, hereinafter referred to as Defendant, and for cause of action will show the Court the following:

DISCOVERY CONTROL PLAN - BY RULE (LEVEL 3)

1. Plaintiff intends to conduct discovery under Level 3 as provided by Rule 190 of the Texas Rules of Civil Procedure.

CLAIM FOR RELIEF

2. Plaintiff is seeking monetary relief from Defendant in the maximum amount of \$75,000.00

PARTIES

3. Plaintiff Susana Ramirez is an individual who resides in Rio Grande City, Starr County, Texas.

4. Defendant Wal-Mart Stores Texas LLC is a limited liability company that does business in Rio Grande City Starr County, Texas. Defendant Wal-Mart Stores Texas LLC may be served with process by serving its registered agent, C.T. Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

VENUE AND JURISDICTION

5. The incident described hereinbelow or events giving rise to Plaintiff's claim against Defendant arose in Rio Grande City, Starr County, Texas. Venue for this cause of action therefore lies in Starr County, Texas.

6. The damages that Plaintiff is seeking from Defendant are within the jurisdictional limits of the Court. This Court therefore has jurisdiction of this cause of action.

FACTS

7. On December 21, 2018, Plaintiff was at Defendant's Wal-Mart store located in Rio Grande City, Starr County, Texas for business purposes. Plaintiff was walking in the action alley near the checkout area that was located in front of the store. She slipped, fell to the floor, and suffered injuries and damages. A broken plastic clothes hanger or a piece of a plastic clothes hanger was on the floor, and it caused Plaintiff to slip and fall. The clothes hanger had been on the floor for a long period of time before Plaintiff slipped on the hanger and fell. Several of Defendant's employees were in close proximity to the clothes hanger that was on the floor during this lengthy period of time.

CAUSE OF ACTION BASED ON  
PREMISES LIABILITY LAW AND PROXIMATE CAUSE

8. At all time that is material to the incident described hereinabove and this case, Defendant was negligent under premises liability law in that: A. Plaintiff was a business invitee, B. Defendant owned, possessed, and/or controlled the premises where the incident described hereinabove occurred, C. A condition on the premises, plastic clothes hanger that was on the floor in the action alley, as described in the preceding paragraph, posed an unreasonable risk of harm, D. Defendant knew or reasonably should have known of the danger posed by the condition, and E. Defendant breached its duty of ordinary care by failing to adequately warn Plaintiff of the condition and failing to make the condition reasonably safe.

This negligence by Defendant was the sole proximate cause or a proximate cause of the incident described hereinabove and of the injuries and damages suffered by Plaintiff, as set out hereinbelow.

DAMAGES

9. As a proximate cause of the negligence of Defendant in causing the incident described hereinabove, Plaintiff suffered injuries, suffered physical pain and mental anguish in the past, will suffer physical pain and mental anguish in the future, suffered physical impairment in the past, will suffer physical impairment in the future, suffered physical disfigurement in the past, will suffer physical disfigurement in the future, lost wages in the past, will suffer a loss of earning capacity in the future, incurred medical expenses in the past, and will incur medical expenses in the future. Plaintiff is seeking monetary relief from Defendant in the maximum amount of \$75,000.00.

VICARIOUS LIABILITY

10. At all time that is material to the incident described hereinabove and this case, Defendant's employees acted within the course, scope, and authority of their employment and/or agency relationship with Defendant. Defendant should therefore be held vicariously liable to Plaintiff for all of Plaintiff's damages alleged herein.

PREJUDGMENT AND POSTJUDGMENT INTEREST

11. Plaintiff further sues Defendant herein for prejudgment interest at the maximum rate allowed by law on those damages where such interest may be assessed and for postjudgment interest at the maximum rate allowed by law on all of Plaintiff's damages from the date of judgment until the judgment is paid in full.

REQUEST FOR JURY AND JURY FEE

12. Plaintiff requests that the above-styled and numbered cause be tried to a jury and represents to the Court that the proper jury fee has been paid to the Clerk of this Court with the filing of Plaintiff's Original Petition.

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that upon final hearing, she have judgment against Defendant for all of her damages hereinabove alleged, for prejudgment and postjudgment interest, and for any and all other relief, both general and special, in law and in equity, and for all costs of Court in her behalf expended.

Respectfully Submitted,

THE CISNEROS LAW FIRM, L.L.P.  
312 Lindberg  
McAllen, Texas 78501  
Telephone No. (956) 682-1883  
Fax No. (956) 682-0132

  
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ARTURO CISNEROS  
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Attorneys for Plaintiff